

01-15-09

PTO/SB/05 (03-01)

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Approved for filing through 10/31/2002, OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

 Attorney Docket No. GEN-100D1
 First Inventor Lydie Bougueleret

Title HUMAN DEFENSIN POLYPEPTIDE DEF-X, GENOMIC DNA AND cDNA, COMPOSITION CONTAINING THEM AND APPLICATIONS TO DIAGNOSIS AND TO THERAPEUTIC TREATMENT

Express Mail Label No. ET535904243US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- ☒ Fee Transmittal Form (e.g. PTO/SB/17)
- ☒ Applicant claims small entity status. See 37 CFR 1.27
- ☒ Specification [Total Pages 41]
(prepared arrangements see forth below)
- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed Sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 16]
- ☒ Oath or Declaration [Total Pages 2]
a. ☒ Newly executed (original or copy)
b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, 37 CFR 1.63(d)(2) and 1.33(b)
- ☒ Application Data Sheet. See 37 CFR 1.76

 ADDRESS TO: Assistant Commissioner for Patents
 Box Patent Application
 Washington, DC 20231

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
a. ☒ Computer Readable Form (CRF)
b. Specification Sequence Listing on:
i. ☐ CD-ROM or CD-R (2 copies); or
ii. ☒ paper
c. ☒ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney (when there is an assignee)
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure ☐ Copies of IDS Statement (IDS)/PTO-1449 Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
- ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☒ Other: Cert. Of Express Mailing; Revoc./New PUA

- If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:
☐ Continuation ☒ Divisional ☐ Continuation-in-Part (CIP) of prior application No. 09/1486580

Prior application information

Examiner: J. Roark

Group Art Unit: 1644

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

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Address							
City				State		Zip Code	
Country				Telephone		Fax	

Name (Print/Type)	Frank C. Eisenschien, Ph.D.	Registration No. (Attorney/Agent)	45,332
Signature	<i>Frank C. Eisenschien</i>	Date	October 18, 2001

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COPY OF PAPERS
ORIGINALLY FILED10/18/01
PTO/SB/05 (03-01)
Jc 167

10/18/01

10045180-101801

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.
 TOTAL AMOUNT OF PAYMENT (\$528.00)

Complete if Known

Application Number	
Filing Date	October 18, 2001
First Named Inventor	Lydie Bougueleret et al.
Group Art Unit	
Examiner Name	
Attorney Docket No.	GEN-100D1

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																																																											
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number: 19-0065</p> <p>Deposit Account Name: Saliwanchik, Lloyd & Saliwanchik</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>		<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>FEE PAID</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>65</td> <td>Surcharge-late filing fee or oath</td> <td></td> </tr> <tr> <td>127</td> <td>50</td> <td>27</td> <td>Surcharge-late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520 For filing a request for ex parte reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920* Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840* Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55 Extension for reply within first Month</td> 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within first Month		116	400	216	200 Extension for reply within second month		117	920	217	460 Extension for reply within third month		118	1,440	218	720 Extension for reply within fourth month		128	1,960	228	980 Extension for reply within fifth month		119	320	219	160 Notice of Appeal		120	320	220	160 Filing for a brief support of an appeal		121	280	221	140 Request for oral hearing		138	1,510	138	1,510 Petition to institute a public use proceeding		140	110	240	55 Petition to revive-unavoidable		141	1,280	241	640 Petition to revive-unintentional		142	1,280	242	640 Utility issue fee (or reissue)		143	460	243	230 Design issue fee		144	620	244	310 Plant issue fee		122	130	122	130 Petitions to the Commissioner		123	50	123	50 Processing fee under 37 CFR 1.17(a)		126	180	126	180 Submission of Information Disclosure Stmt.		581	40	581	40 Recording each patent assignment per property (times number of properties)		146	740	246	370 Filing a submission after final rejection (37 CFR § 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**for number previously paid, if greater. For Reissues, see above

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Frank C. Eisenschenk, Ph.D.	Registration No. (Attorney/Agent)	45,332
Signature	<i>Frank C. Eisenschenk</i>	Telephone	352-375-8100
		Date	October 18, 2001

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Utility Patent Application
Docket No. GEN-100D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. : GEN-100D1
Applicant(s) : Lydie Bougueleret and Ilya Chumakov
For : HUMAN DEFENSIN POLYPEPTIDE DEF-X, GENOMIC DNA AND
cDNA, COMPOSITION CONTAINING THEM AND APPLICATIONS TO
DIAGNOSIS AND TO THERAPEUTIC TREATMENT

Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING BY EXPRESS MAIL (37 CFR 1.10)

ET 535904243 US
Express Mail No. _____ Date of Deposit: October 18, 2001
ET535904243US

I hereby certify that the items listed on the attached Utility Patent Application Transmittal form, with copies as required for authorization for use of Deposit Account No. 19-0065, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and are addressed to: Box PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C. 20231.

Brooke Bockemuhl
Name of person mailing paper

Brooke Bockemuhl
Signature

10045180-101801

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on the date shown below:

December 28, 2000

Frank C. Eisenschenk

Frank C. Eisenschenk, Ph.D., Patent Attorney

COMMUNICATION
Patent Application
Docket No. GEN-100
Serial No. 09/486,580

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Jessica H. Roark
Art Unit : 1644
Applicant(s) : Lydie Bougueleret and Ilya Chumakov
Serial No. : 09/486,580
Filed : February 25, 2000
For : HUMAN DEFENSIN DEF-X, GENE AND DNAC, COMPOSITION
CONTAINING SAME AND DIAGNOSTIC AND THERAPEUTIC
APPLICATIONS

Assistant Commissioner for Patents
Washington, D.C. 20231

COMMUNICATION

Sir:

Attached hereto please find an original Revocation of Power of Attorney and New Power of Attorney executed on December 19, 2000, and a copy of the corresponding Assignment dated January 27, 2000, that was submitted for recordation on or about February 25, 2000, in the application identified above.

Respectfully submitted,

Frank C. Eisenschenk

Frank C. Eisenschenk, Ph.D.

Patent Attorney

Registration No. 45,332

Phone No.: 352-375-8100

Fax No.: 352-372-5800

Address: Saliwanchik, Lloyd & Saliwanchik
A Professional Association
2421 NW 41st Street, Suite A-1
Gainesville, FL 32606-6669

FCE/jaj

Attachment: Revocation of Power of Attorney and New Power of Attorney
Copy of Assignment with Recordation Cover Sheet

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

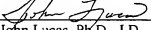
Genset certifies that it is the owner of the entire right, title, and interest in the patent application identified above by virtue of an assignment to Genset dated January 27, 2000 by assignors Lydie Bougueleret, and Ilya Chumakov.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

GENSET

By: 
John Lucas, Ph.D., J.D.
Director, Intellectual Property

Date 19 Dec 00